

United States Courts  
Southern District of Texas  
FILED

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

*April 24, 2024*

Nathan Ochsner, Clerk of Court

**UNITED STATES OF AMERICA**

Vs.

**Hernan Torres Torres**

**CRIMINAL COMPLAINT**

Case Number: C-24-156M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 22, 2024 in Brooks County, in the Southern District of Texas, defendant, **Hernan Torres Torres**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

**Luis C. Alfaro**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

  
Signature of Complainant  
**Luis C. Alfaro**  
Printed Name of Complainant

April 24, 2024

Date

at

Corpus Christi, Texas

City and State

**Mitchel Neurock U.S. Magistrate Judge**

Name and Title of Judicial Officer

  
Signature of Judicial Officer

## **AFFIDAVIT**

The information contained in this report /affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

### **FACTS/DETAILS:**

On April 22, 2024, a Border Patrol Agent was assigned roving patrol duties in Falfurrias, Texas. At approximately 5:30 p.m. Agents found shoe prints of a group of approximately four subjects inside of the King Ranch. Agents tracked them for several miles and, were able to spot multiple subjects concealing themselves underneath thick brush. Agents identified themselves and were able to place all subject under arrest without further incident. An immigration inspection of the subjects was performed by the Agents and all subjects freely and willingly admitted to being present in the United States without the proper documentation to remain in the United States legally. All subjects were transported to the Falfurrias Border Patrol Station, where they were processed accordingly. Subjects were interviewed by Border Patrol Intelligence Agents (BPAI)

**MIRANDA RIGHTS WARNING:** All subjects were advised of their Miranda Rights in their language of preference.

### **PRINCIPAL STATEMENT – HERNAN TORRES-TORRES**

TORRES-Torres stated that he left his home state of Michoacan, Mexico with an intended destination of Houston, Texas approximately twenty-two days ago and reached Reynosa while in route there.

Subject claims he was housed at a stash house in Reynosa for twenty days. Agents questioned the subject on two phones found in his possession. The subject claimed one of the phones was not his. Subject claims he was given the phone to help guide the group. Agents noted that even though he distanced himself from this phone the subject knew the pass code and was able to get into it. Subject claims he was dropped off by himself in the brush land and ultimately met up with a group of non-citizens. Subject claims he was instructed via a person on "WhatsApp" and was told to guide the group. Subject claims he does not know the person who contacted him. Intelligence Agents searched this phone (Cricket Phone) that was not claimed by the subject as his and found several photos of TORRES-Torres. Several of these photos were pictures of himself and were dated as recent as this month and in March. The GPS attached to the pictures puts his location in Houston, Texas and Wharton, Texas. Agents indicate these show evidence of the phone being used by him and the smuggling of prior groups.

**MATERIAL WITNESS STATEMENT: Hector CRISTAL-CALI**

CRISTAL-Cali claims he left his native country of Guatemala on April 1st, 2024, to be smuggled for \$2500 quetzales. Subject claims he crossed with a group of twelve near Roma, Texas. Subject claims himself and three others from a stash house were loaded up in a black car. They were driven and dropped off near a set of blinking lights near brushland at approximately 8 or 10 P.M. where they waited. Subject claims that at approximately 3 a.m., a flat bed pickup truck loaded with a round bale came and all the non-citizens were loaded inside the round bale. The subject claims the round bale had a trap door located on the side of the round bale. Subject claims this truck then transported him and approximately another fifteen non-citizens in total further north in the brushland and dropped them off. An agent was able to find pictures of the suspected truck. These pictures were presented to the subject in which he was able to confirm it was the same truck that he and his group were transported further north in. Subject stated after this last drop off a person was guiding him and the group further north in the brushland.

**NOTE:** Subject was shown a six-pack line up to identify this person, and was able to positively identify Hernan TORRES-Torres as the brush guide.

**MATERIAL WITNESS STATEMENT: Luis Gustavo CHAN-Perez**

CHAN-Perez stated he left his native country of Guatemala on April 5th, 2024. Subject claims he crossed into the United States illegally by himself and was smuggled further north in a black four door car. Subject claims he was dropped off in the nighttime hours three days ago where he ultimately met another group, and they continued walking northbound in the brush. Subject claims a male was guiding them northbound.

Subject was shown a six-pack line up to identify this person, and was able to positively identify Hernan TORRES-Torres as the brush guide.

**MATERIAL WITNESS STATEMENT: Anyillireily MARIA-Munoz**

Anyillireily Maria-Munoz stated she left her native country of the Dominican Republic on April 4th, 2024. She flew to Mexico City, Mexico and then traveled to Reynosa, Mexico. She crossed the Rio Grande River with a group of six others and paid \$1400 to cross the Rio Grande River and \$2500 when she arrived in McAllen, Texas. The group was picked-up in a white SUV and taken to a stash house in McAllen. She was there for seven days before being brought north in a white car to start her travels in the brush. She was unable to identify the brush guide. Maria-Munoz stated the guide abandoned the group in the brush while they were being tracked by Border Patrol Agents.

**DISPOSITION:**

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Hernan TORRES-Torres for prosecution of 8 USC 1324, Alien Smuggling. Hector CRISTAL-CALI, Luis Gustavo CHAN-Perez, and Anyillireily MARIA-Munoz will be held as material witnesses.



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Luis C. Alfaro  
Border Patrol Agent

Submitted by reliable electronic means, sworn to signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day April 24, 2024.



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Mitchel Neurock  
United States Magistrate Judge